

THE SAN LUIS OBISPO COUNTY GANG TASK FORCE

The San Luis Obispo County Gang Task Force is an information-gathering and enforcement unit created to aid city and county law enforcement agencies. This is accomplished by monitoring gang-related activities and proactive contacts with identified gang members, often through probation compliance contacts. Task force responsibilities include identifying the various gangs and their members, assisting narcotics officers investigating the trafficking of illegal drugs by criminal street gangs, and aiding prosecutors in obtaining enhancement penalties for individuals convicted of gang-related offenses.

ORIGIN

The Grand Jury elected to inquire into the task force's operations in order to inform the county's residents of the extent of the area's criminal street gang problem and the ways in which local law enforcement is dealing with it.

AUTHORITY

California Penal Code §925 states: "The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex officio capacity as officers of the districts. The investigations may be conducted on some selective basis each year, but the grand jury shall not duplicate any examination of financial statements which has been performed by or for the board of supervisors pursuant to Section 25250 of the Government Code; this provision shall not be construed to limit the power of the grand jury to investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county".

METHOD

Grand jurors interviewed the Sheriff's Department's Chief Deputy along with three present members and one former member of the task force, and collected current and historical data on the county's gang problem and task force operations.

NARRATIVE

The Gang Task Force was formed in 1987 in response to a noticeable rise in gang activity in the county and a realization by law enforcement personnel that gangs were becoming increasingly involved in drug trafficking. This was the impetus for obtaining a federal grant which funded the task force's original complement: one deputy sheriff, one probation officer, one deputy district attorney (half-time), and one clerical employee.

As the county's population has continued to increase, so has the number of street gangs and gang members. According to the most recent data available, there are 31 different gangs in the county with a total of nearly 1100 members. The typical gang member is a 14 to 25 year-old male, although there are some older members. Many of the gangs are composed primarily of Hispanic youths. Of particular concern to the task force, however, is a recent marked increase in the number of white supremacist or "white power" gangs whose members tend to engage in hate crimes.

Criminal gang activity is certainly not unique to, or even most prevalent in, this county; it is a problem throughout the state, especially in large urban areas, and has been for several decades. To address the issue, the California legislature, in 1988, enacted the Street Terrorism Enforcement and Prevention (STEP) Act. The intent of the law was to prevent or reduce criminal street gang activity by enhancing the penalties for individuals convicted of gang-related offenses.

The California Penal Code defines a criminal street gang as any ongoing organization of three or more people with a common sign or symbol, which has as one of its primary activities the commission of one or more of 25 specified crimes, and which engages in a pattern of criminal gang activity.

Enhancement penalties under the STEP Act can add considerable time to a convicted offender's sentence. For example, a less serious felony, which normally carries a sentence of 16 months to three years, is enhanced by an additional two to four years. Five years are added to serious

felonies, and ten years to violent ones. Enhancement can extend to a life sentence for crimes such as home-invasion robbery or shooting from a vehicle, which results in injury. Witness intimidation, because of its prevalent use by gangs, can also be enhanced to a term of life in prison.

For individuals convicted of gang-related misdemeanors, enhancement penalties can result in a state prison sentence for what would have otherwise been a county jail sentence.

In order to add enhancement penalties, it must be shown at trial that a defendant's criminal actions promoted or benefited a street gang, and input from the task force has been instrumental in assisting prosecutors toward this end. Intelligence information from the task force is also essential to local law enforcement agencies in their efforts to investigate and arrest criminal street gang members.

The sheriff recognizes the value of the task force and its contributions to public safety. Criminal street gangs and their associates are the primary players in illegal drug activity in the local area. Methamphetamine use, especially crystal methamphetamine (ice), is at near epidemic proportions in this county. Criminal street gangs, along with using methamphetamine, also manufacture, transport, and sell it. By assisting sheriff's narcotics officers and personnel from other law enforcement agencies, the task force significantly impacts narcotics trafficking in San Luis Obispo County and adjacent areas. The contributions of the task force can be illustrated by citing a few examples of their more recent activities:

- The Gang Task Force joined with the Sheriff's Narcotics Unit, County Probation Department, California State Parole, and police departments from Paso Robles, Atascadero, and Grover Beach in an operation focused on 37 residences in the northern portion of the county. Eight adults and four juveniles were arrested, and seizures included methamphetamine, marijuana, drug paraphernalia, counterfeit ID's and social security cards, and a .45 caliber handgun with ammunition.

- ø The task force assisted the Sheriff's Narcotics Unit in locating three marijuana cultivation locations from which 11,865 plants were seized.
- ø The task force worked with the Sheriff's Narcotics Unit and U.S. Customs in investigating criminal street gang members who were importing large quantities of crystal methamphetamine from Mexico and trafficking drugs throughout the county. The investigation culminated in 19 federal and five local convictions.
- ø The task force assisted the San Luis Obispo County Auto Theft Team in a multi-jurisdictional case in Monterey County which targeted several known "Sureno" gang members who were engaged in drug trafficking and auto theft. Approximately 20 search warrants were served which resulted in eleven arrests and the recovery of 48 vehicles.
- ø As a result of a task force investigation into gang and narcotics activities in the southern portion of the county, 17 known gang members and associates were arrested. The charges included parole/probation violations, felony evasion of a police officer, and possession of narcotics for sale.
- ø Additionally, the Gang Task Force's quantifiable achievements relative to arrests, convictions, seizures, and other pertinent areas have through the years consistently exceeded the projected figures delineated in the grant application documents.

These examples are just a few of the Gang Task Force's accomplishments and serve to highlight their important contributions to law enforcement and public safety in San Luis Obispo County. It should also be mentioned that task force members regularly participate in drug and gang prevention programs at local schools and at meetings attended by parents, community leaders, and the general public.

Although the number of gang members in the county has increased nearly tenfold in the past two decades, the make-up of the task force has remained as initially constituted until very recently, when the sheriff added one additional deputy. Since federal monies partially fund the unit with

no guarantees for the future, the sheriff would like to see the grant-funded expenditures converted to permanent county funding, and the Grand Jury agrees with him.

CONCLUSION

In the opinion of the Grand Jury, the members of the Gang Task Force are dedicated and professional officers and a genuine asset to county law enforcement.

FINDING

A federal grant, which is subject to withdrawal at any time, continues to be the primary funding source for the Gang Task Force.

RECOMMENDATION

The expenditures for the Gang Task Force should be permanently funded as part of the annual San Luis Obispo County budget.

REQUIRED RESPONSES

- **The San Luis Obispo County Sheriff's Department: Due 05/05/06 (Finding and Recommendation)**
- **The San Luis Obispo County Board of Supervisors: Due 06/02/06 (Finding and Recommendation)**